

MEMORANDUM

Agenda Item No. 11(A)(16)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: June 3, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging Congress to
pass the Medicare Fraud
Enforcement and Prevention
Act of 2013, H.R. 418, or
similar legislation that would
reduce Medicare waste, fraud,
and abuse

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chair Lynda Bell.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

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Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(16)
6-3-14

RESOLUTION NO. _____

RESOLUTION URGING CONGRESS TO PASS THE
MEDICARE FRAUD ENFORCEMENT AND PREVENTION
ACT OF 2013, H.R. 418, OR SIMILAR LEGISLATION THAT
WOULD REDUCE MEDICARE WASTE, FRAUD, AND
ABUSE

WHEREAS, Medicare is a federal health insurance program for people aged 65 and older, certain younger people with disabilities, and people with End-Stage Renal Disease; and

WHEREAS, Medicare fraud occurs when Medicare is billed for services or supplies the patient never received; and

WHEREAS, Medicare abuse occurs when doctors or suppliers do not follow sound medical practices, which leads to unnecessary costs to Medicare, improper payments, or services that are not medically necessary; and

WHEREAS, Medicare loses billions of dollars to fraudulent and improper claims every year, resulting in wasted taxpayer dollars and increased health care costs for everyone; and

WHEREAS, federal health officials have identified South Florida as one of several major Medicare fraud "hot spots," along with Los Angeles, Houston, and Chicago; and

WHEREAS, despite convictions of more than 1,000 defendants in South Florida alone, the region accounts for one-third of all healthcare fraud prosecutions in the nation; and

WHEREAS, a bill entitled the Medicare Fraud Enforcement and Prevention Act of 2013, H.R. 418, has been filed for consideration during the 113th Congress by Representative Ileana Ros-Lehtinen (R – Florida); and

WHEREAS, the Medicare Fraud Enforcement and Prevention Act of 2013 would reduce Medicare waste, fraud, and abuse by:

- (1) doubling the fines and jail time for those convicted of Medicare fraud;

- (2) creating a new criminal offense punishable with a 10 year minimum sentence for those who knowingly sell or distribute the ID numbers of Medicare beneficiaries;
- (3) prohibiting individuals who have been part of Medicare fraud in the past from billing Medicare if they switch companies;
- (4) implementing a pilot program utilizing biometric technology to ensure the legitimacy of Medicare claims; and
- (5) facilitating real-time information sharing among law enforcement agencies to aid in the uncovering and dismantling of Medicare scams; and

WHEREAS, this Board would like to express its support for the Medicare Fraud Enforcement and Prevention Act of 2013, H.R. 418, or similar legislation that would reduce Medicare waste, fraud, and abuse,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges Congress to pass the Medicare Fraud Enforcement and Prevention Act of 2013, H.R. 418, or similar legislation that would reduce Medicare waste, fraud, and abuse.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the members of the Florida Congressional Delegation, Congresswoman Ileana Ros-Lehtinen, and the Secretary of Health and Human Services.

Section 3. Directs the County's federal lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2014 Federal Legislative Package to include this item and to include this item in the 2015 Federal Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Vice Chair Lynda Bell. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of June, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MSM

Michael J. Mastrucci